

SCIENCE HEALER QUESTIONED

TREATED THE TWO POLICE MATRONS BY PRAYER.

A Silent Determination of the Nature of the Disease Preceded It. Police Court Decision on Case Next Month. Tilt Between Counsel Full of Interest.

William Vernon Cole, the Christian Science practitioner, was in Jefferson Market court in answer to a second summons taken out by the County Medical Society yesterday. The proceedings were to give the prosecution an opportunity to show cause why a warrant should be issued for the arrest of Mr. Cole on a charge of practicing medicine without a license.

The Christian Science Church was represented by Virgil O. Strickler, reader of the First Church of Christ, Scientist, and by Eugene Cox of the publication committee. Almut C. Vandiver represented the County Medical Society and former District Attorney Jerome was counsel for Mr. Cole. Mr. Vandiver rested his contention on the testimony of two police matrons who had visited Practitioner Cole in his offices at 225 Fifth avenue and had been treated by him for alleged physical ills. Their testimony opened the case and Mrs. Isabella Goodwin, whose affidavit was pinned to the police summons, was first called to the witness stand.

She told of her visit to Cole's office on January 7 and said that the practitioner met her at the door and told her that he would see her in a few minutes. When her turn came she went into the private office and asked the defendant if he would treat her.

"What is the matter with you?" he asked, testified Mrs. Goodwin. "I told him that I was suffering from heart trouble and he told me to sit down in a chair. He seated himself in another chair and held his hand to his face for about fifteen minutes.

"I think you'll be benefited at once," he said, "you seem to be responding to treatment." The witness said she paid Mr. Cole \$2 and promised to come again.

"Where did you get Mr. Cole's name?" asked Mr. Jerome when the witness had been turned over to him for cross-examination.

"Inspector Russell gave it to me with a lot of others," Mrs. Goodwin went on to say that she had a list of eight or ten names and had no information as to who Cole was or what she should ask him.

"What did you think he was?" asked Mr. Jerome.

"I thought he was some kind of a faker," Mrs. Goodwin said that the practitioner had performed no operation nor had he made any examination or given her a prescription. She made way for the second witness, Mrs. Francis Berner, who under the name of Belle Holmes had been very active in the recent police raids on palmists and astrologers.

"Are you a doctor?" I asked him, Mrs. Berner said. "No, I'm a Christian Science healer," he answered. He noticed that I was wearing glasses and told me to take them off."

The witness had paid him \$2 for his first treatment and promised to come again on January 20. She came then and several other times and asked Mr. Cole a number of test questions, among them whether he could cure cancer and locomotor ataxia. To each of these he answered "Yes," the witness testified, and said he could do it by prayer. Mr. Jerome had no questions to ask and the prosecution rested its case.

"This evidence shows," Mr. Vandiver said, "that the defendant held himself out as able to give treatment and not as practicing any religious belief, and I think, your Honor, that it is the time for the defense to show what the practitioner was doing." The defense replied that they were ready and Mr. Jerome called Virgil O. Strickler to the stand.

"What is the teaching of the Christian Science Church in regard to disease?" Mr. Jerome asked.

He said that the rules of the Church were not to call in physicians, but that there were times when a surgeon could be called in.

He said Mr. Jerome objected that the prosecution was not confining itself to the point, "I wish to show," Mr. Vandiver replied, "that the tenets of this Church are contrary to the peace of the State and come under the statute." Mr. Jerome replied that such a matter was out of the province of the present case and was provided for by the exception in the medical law of 1907, the provisions of which were not to be construed as affecting the practice of the religious tenets of any church.

"Is the Christian Science treatment confined to humans?" Mr. Vandiver asked in closing. Mr. Strickler replied that it was not and that Christian Scientists would treat animals.

Mr. Cole, the defendant, was then put on the stand. He said that the practice of Christian Science was the application of the principles and laws of Christian Science and that his method of treatment was by prayer. He said that he believed in the fundamentals of the religion as outlined by Mr. Strickler and that his work as a practitioner was a part of his religious belief.

"What treatment did you use in the case of the two women who have just appeared as witnesses?" Mr. Vandiver asked.

"What would you use?" In an instant Mr. Jerome was on his feet.

"I object," he said, "to this line of questioning. It is a shame to subject this man to this prying inquiry. A man's relations with the Deity are sacred. If after a procession with the relics of St. Ann a Roman Catholic priest were brought here and questioned as to what prayers he said there would be an outburst. It is base and unnecessary, and believe me an adherent of a faith, even if it is not a great and powerful one, should be protected. It is a prurient curiosity that should be nipped."

"I never heard of a priest opening an office and charging a fee for St. Ann's relics," replied Mr. Vandiver.

"Up to the time of the Lateran Council, in the twelfth century, the Roman Church did not allow a physician to be summoned and then only with a priest," replied Mr. Jerome.

Magistrate Freschi ruled that he would permit the witness to go further than merely to state that he prayed. Further questions followed as to whether the practitioner made a silent determination of the nature of the disease, and he said he did. He also testified that he had treated animals.

The defense closed by placing Eugene R. Cox of the Christian Science publication committee on the stand. He explained how a license to be a practitioner is secured through the Christian Science Journal.

Magistrate Freschi said that he would take the matter of whether or not he would issue a warrant under consideration and asked Counsel Vandiver to present a brief. February 14 was set for the date to present a brief, and the Magistrate said he would be ready with a decision on February 21. Mr. Jerome told the Court he had no brief to present, for he rested his case squarely on the exception in the medical law.

THE HARVEYING BEGGAR.

The Courtesy of the Police Force Not Extended Him.

William Lewis of 507 East 136th street, he Bronx, gazed at the outstretched and bandaged hand of a man begging alms at the Ninety-ninth street station of the Third avenue elevated yesterday afternoon. Said Lewis:

"My wife was fooled a week ago by a man whose hand was bandaged that way and I don't like your looks. Lewis had the beggar arrested. At the East 126th street police station yesterday morning, visiting eight houses and getting away with jewelry and small sums of money in addition to feeding themselves now and then.

Among those who reported losses were Louis Nicollier, a storekeeper of 138 Lake street, where the thieves got in through a window and left with \$30, three books of trading stamps and an overcoat. Charles Lockhard, a contractor of Dupont, reported the loss of an overcoat, and John Rockholz of 98 Junction avenue said that \$20 in money had been taken from his home. Diamonds said to be worth \$100 and \$8 in cash were stolen from the home of Louis Cohen at 164 Park street, who is a furrier in Manhattan. At the home of John Degan, a builder, of 165 East 84th avenue, clothing and a small sum of money was stolen. The home of Charles Smith at 157 East Grand avenue and of R. H. Nichols of 112 Lake street were also visited, but the thieves were frightened off before securing any loot.

Druggist Burned by Benzine Explosion. A. M. Hobbs, a druggist at 584 Gates avenue, Brooklyn, was carrying a five gallon flask of benzine downstairs yesterday in his store when he dropped it and the vapor was ignited by a gas jet that was burning. Mr. Hobbs was severely burned and was taken to St. John's Hospital, where it was said that his condition was critical. The explosion started a blaze that burned out the store.

Charge Accounts and Deposit Charge Accounts Will Be Continued by the New Greenhut-Siegel Cooper Company

OLD "40" SCHOOL BOYS DINE

HUNDRED OF THEM MEET AND RENEW FRIENDSHIPS.

Frank Damosch Presides and Not a Youngster Is Allowed to Eat Until the Oldest Present Has Declared Himself—Some Noted Graduates.

Two men sat opposite to each other at a dinner about three months ago, and after they had begun their oysters one of them ventured, "Aren't you Eddie Miller of No. 40?"

He was Edward M. F. Miller, a member of the Stock Exchange, and the speaker was John W. MacDonald of the comptroller's office. Before the soup had been cleared away four other diners moved their seats near the pair, and that was the way the Alumni Association of Public School No. 40 was formed.

Last night nearly one hundred alumni attended a dinner in memory of "Old Number Forty" at the Press Club. There was no assignment of seats, each sat as near as he could to an old friend. In front of each boy, as they wished to be called, was a slate on which was pencilled the menu, a tin whistle, a cricket, a spitball blower and a harmonica.

Before they were allowed to touch any of these, however, President Frank Damosch arose and asked that the oldest alumnus announce himself. Thomas C. Ennever claimed the distinction, being of the class of '61. Then everybody started to whistle, sing, play the harmonica and eat.

The only guests at the dinner were Joseph K. Van Denburg and William Franklin, principals of the school, and the president of the Press Club, C. R. Macaulay. Principal Van Denburg felt decidedly uncomfortable when a graduate who received his diploma at the time of the civil war suggested that they take the principal outside and lick him in memory of the old principal's use of the rattan.

Brother Miller banged a gong every time any speaker used a big word or term that didn't come under the three R's. Axel O. Hilseng, who went to Joplin, Mo., after being graduated in '90 and immediately began to capitalize zinc and lead companies, sat nearby to Lawyer Ennever and Nathan Edlich, who hadn't seen each other since 1895.

Later in the evening Mr. Damosch banged his gavel, an old rattan, and resolutions were passed remembering "Miss Gallagher," now Mrs. Annie E. Shields, the oldest living former teacher of No. 40, and the old principals.

Then they sang the old songs, whistled and reminisced. The officers of the association are: Frank Damosch, president; John W. MacDonald and Edward M. F. Miller, vice-presidents; Carl Ahlstrom, treasurer; and G. P. H. McVay, secretary. Supreme Court Justice Dugan, Justices Blake and Smith of the Municipal Court, Upton Sinclair, Franklin Bie and Dr. William R. Chichester were among the graduates present. "Old Number Forty" was in East Twentieth street between First and Second avenues.

THIEVES RAID IN CORONA.

They Made the Rounds of Eight Houses and Got Various Loot.

A merry band of sneak thieves raided a part of Corona, L. I., early yesterday morning, visiting eight houses and getting away with jewelry and small sums of money in addition to feeding themselves now and then.

Among those who reported losses were Louis Nicollier, a storekeeper of 138 Lake street, where the thieves got in through a window and left with \$30, three books of trading stamps and an overcoat. Charles Lockhard, a contractor of Dupont, reported the loss of an overcoat, and John Rockholz of 98 Junction avenue said that \$20 in money had been taken from his home. Diamonds said to be worth \$100 and \$8 in cash were stolen from the home of Louis Cohen at 164 Park street, who is a furrier in Manhattan. At the home of John Degan, a builder, of 165 East 84th avenue, clothing and a small sum of money was stolen. The home of Charles Smith at 157 East Grand avenue and of R. H. Nichols of 112 Lake street were also visited, but the thieves were frightened off before securing any loot.

HAMPTON CALLS ON BRANDEIS

To Help Defend the Glucose Charge Against Standard Oil.

Louis D. Brandeis, the Boston lawyer who doesn't like the way big corporations do things and who got into the newspapers by announcing to the Interstate Commerce Commission that the railroads could save enormous sums by intelligent operation, has been asked by Benjamin B. Hampton to undertake the defense of Hampton's Magazine and Cleveland Moffett in the libel suits brought by the Standard Oil Company on the publication of Moffett's article accusing the Standard Oil Company of "poisoning children" with glucose. Mr. Hampton has not heard from Mr. Brandeis.

John D. Rockefeller is largely responsible for the oil trust's departure from its customary policy of keeping its troubles out of court. It is said that Mr. Rockefeller, as well as other officers of the company, has received many marked letters commenting upon it.

The denial that Standard Oil is interested in the manufacture or sale of glucose was repeated yesterday, and it was pointed out that while three directors of the Standard Oil Company are officers of the Corn Products Company only 5 per cent of the stock in that company is owned by Standard Oil men.

Mr. Hampton made another statement yesterday declaring that he would make no retraction and defending the publication of the article. He said that the last report of the Interstate Commerce Commission on express companies did just what Hampton's had done; that is, had placed the responsibility for acts of supposedly independent companies upon the big interests which were known to control them. Mr. Hampton said:

"The doctrine that it is necessary and right to look to the real ownership rather than the corporate legal ownership of a concern is gaining ground in this country. The Interstate Commerce Commission in the first annual report dealing with the express companies, recently issued, expressly goes behind the returns and looks to the real ownership. It is a subsidiary corporation and a corporation controlled by a 'community of interest' is recognized in this report."

MORE TALES OF WHIPPING.

Two Witnesses Tell of Brutality on Texas Peon Farm.

AUSTIN, Tex., Jan. 28.—In the trial of the four white men charged with peonage two more witnesses testified to-day to having been made captives and taken to the Kopp plantation, where they were held prisoners for several months and made to work unceasingly every day at that time.

Charney Miller, a railroad brakeman who came to Texas from Bloomington, Ill., and was employed on the Santa Fe at the time he was made prisoner and taken to the farm, testified that Harlan McLeod, one of the defendants, brutally whipped him and the other prisoners many times.

"McLeod hit me with most everything he could get his hands on," the witness asserted. "He hit me with a six shooter once or twice on the head. He just rode up and smashed me on the head with a shotgun, and because I would look up at him he hauled off and hit me across the head with the shotgun. I saw Frank Steele whipped by R. S. Newsome and McLeod. McLeod did his whipping in the field and used a 'bat.' Steele was thrown in the street near his home. Newsome whipped him in the stockade. I saw McLeod set dogs on Frank Steele and helped to hold Steele when Newsome whipped him."

Three Alarm Fire in Brooklyn Factory.

A small blaze that quickly developed into a three alarm fire was discovered yesterday afternoon in the airshaft of the Union street wing of the Mairs wall paper factory, at Van Brunt and Union streets, Brooklyn. It chased more than 200 employees out of the building, including many women and girls, cornered James Finan, a foreman, on the top floor and scorched him before he was rescued, and caused minor injuries to several firemen who got in the way of a toppling wall. The damage to the property was estimated at between \$50,000 and \$75,000.

60 MILE GALE SCATTERS FOG

OUTSPEEDS A FLEET UNDER REEFED AND DOUBLE REEFED.

Coming In Was Not An Easy and the Waiting Windjammers Didn't Come In—Tugs Have an Amphibious Time Docking the Ship S. D. Carleton.

A piping norwester blew the last vestige of vapor from the harbor yesterday and started a big fleet of sailing craft, held up several days, bowing down the coast. The only eastbound vessel was the old iron British ship Rhine, which staggered off under several reefs looking like the lonesome relic she is. The fore and afters, of which there were twenty-five, one of the biggest and finest fleets that ever has headed down the coast in many months, were reefed and double reefed, for the wind got up to whole gale force before the last of them passed out at the Hook. In the gallant bunch were several fine four masted, including the 1,485 tonner Maud Palmer, the Perry Setzer and the Clifford N. Carver. It looked for a moment to the Count de la Motte as if the American shipping of the old fashioned type were reviving. He remarked that some of the best of the schooners were making "Mauretania speed," the combers spouting under their bows and their wakes long lines of tumbling surf.

It was all right for the skippers running before the blast, but rough on those trying to make port after two days groping off the Hook in fog. Five sailing vessels, among them the barkentine Bruce Hawkins, laboriously beat their way under the shelter of the Highlands and anchored. A tern bound this way was struck by a squall off Squan Beach and lost all her sail and carried away her gaffs. She anchored, which is safe in an offshore wind, and set her ensign in her rigging for a tug. Tugboatsmen who were notified said no tug could go out in the gale that was piling up the combers off the Jersey coast, so the skipper of the tern will have to wait.

The effect of the wild blow in the bay was to prevent the transfer of any craft by tugs from anchorage to dock. The American ship S. D. Carleton, which arrived on Friday from San Francisco, made an effort to reach a pier of the Bush Terminal in South Brooklyn in tow of the Dalzell tugs Dalzelline and E. T. Dalzell. The wind then was only about twenty-five miles. It roared up to fifty and took charge of the Carleton. Sea heads and they began to make sternward, dragged by the ship, drifting inshore broadside on. The tug Raymond went to the assistance of her sister ship and got a line on the Carleton. Whistles screamed for more help and another tug made fast to the ship. The skipper of the Carleton looked at the sea another way over the bows of the tugs and decided that he would rather go back to a safe anchorage off Staten Island than risk smashing on to a lee shore. That is the way he was fast drifting when the fourth tug hatched on. By crowding on all power the tugs, with bows under the ferment at times, slowly dragged the Yankee ship to anchorage, and she let go both bows, which held her.

The Fabre line Roma, from the Mediterranean, while attempting to make her dock when the gale had attained and kept for five minutes a force of about sixty miles, was swept into shoal water and grounded off the Erie Basin. She was assisted by tugs undamaged about an hour later and went to her pier at the foot of Thirty-ninth street. Two tugs that spied her predicament, the M. J. Lennox and the Adelaide, attempted to reach her but were so badly smitten in the turmoil that they were forced into Erie Basin almost swamped. The bay was deserted except by seagulls and ferries. At high tide geyers burst over the Battery wall and spilled themselves far into the park.

Jersey Lawyers' Annual New York Dinner

The Hudson County, N. J., Bar Association, which gets a meal once a year in New York city, will hold its 1911 banquet at the Hotel Astor on Saturday evening, February 18. The speakers will include Edward M. Shepard, John B. Stanchfield, Frank Lawrence, president of the Lotus Club, and Judge Mark A. Sullivan of the New Jersey Court of Errors and Appeals.

WOMEN AND CONVICT VOTERS

"The Broadside" Talks of the Restoration of Citizenship.

The Women's Political Union issued the second number of their Votes for Women Broadside yesterday afternoon.

The new Broadside has for its main feature a discussion of ex-Gov. White's re-franchisement of eighty-one ex-convicts. The cartoon on the front page shows a square table on which is a ballot box. Near it stands a policeman who with his right hand is pushing away a sad looking woman with a baby in her arms and a cheerful looking woman in a cap and gown, and with his left is beckoning to a crowd of men in prison garb. Underneath is the caption, "Stand Back, Ladies!"

The "leader" explains that the suffragists don't object to the men getting back their citizenship after they have faced punishment and are making an effort to get on their feet again, but adds "But we hold with a conviction deep as life itself that women, law abiding women, should also be freed from the stigma of political outlaws."

5 YEARS FOR STEALING CENTS.

It is Possible Under the Law, as Case of This Boy Shows.

Isidor Hammer, 16 years old, of 333 East Tenth street, was in the Yorkville police court yesterday charged with picking a woman's pocket on the Grand Central Station platform of the subway. There was just one cent in the pocketbook. The Magistrate decided to hold the boy for trial and under the law was obliged to hold him without bail. Had the boy taken the pocketbook with the cent half an hour earlier the case would not have been so serious. But the case was committed after sundown Friday evening and that made it grand larceny. As the penalty for that is more than five years imprisonment the Magistrate was debarred from taking bail.

Must Stand Trial for Kidnapping.

Supreme Court Justice Goff dismissed yesterday a writ of habeas corpus obtained by Giacomo Crimi, who has been held for trial on a charge of kidnapping Joseph de Stefano, 6 years old, of 216 Elizabeth street, on July 27th last. The boy was missing until August 5, when he was found in the street near his home. Crimi was arrested in a raid made by the Italian detectives at 212 Elizabeth street and in the police court was picked out by the boy as the man who took him away.

SCHENK SUES FOR DIVORCE.

Wife Released on Her Own Recognizance—Judge Asked to Protect Juror.

WHEELING, W. Va., Jan. 28.—Laura Farnsworth Schenk, accused and tried once on the charge of poisoning her husband, John O. Schenk, was released to-day on her own recognizance, to appear for the second trial on the first day of the March term of Criminal Court. A few minutes before she was released her husband filed suit in the Circuit Court for a divorce. Through his attorneys Schenk got an injunction from Judge Harvey restraining his wife from entering their former home or interfering in any way with their two children until the divorce issue is settled. J. B. Handlan, who prosecuted Mrs. Schenk, has been engaged as counsel by her husband in the divorce case.

There is no ground for the assertion that the prosecution of Mrs. Schenk will be dropped," said Mr. Handlan to-day. "It is my intention to bring the case to trial because I believe she is guilty." Judge Jordan was asked to-day to take steps to protect J. A. Heymann, the juror who prevented a verdict of acquittal. Heymann has been threatened with all sorts of violence by friends and sympathizers of Mrs. Schenk.

ARTIST HUTT'S WIFE SUES.

Asks for a Separation and \$500 a Month Alimony.

Edna Garfield Della Torre Hutt, wife of Henry Hutt, artist and illustrator, has brought suit for a separation on the ground of abandonment and cruel treatment, and obtained an order from Supreme Court Justice Goff yesterday directing her husband to show cause before Justice Gerard on Monday why he should not pay her \$500 a month alimony pending the suit.

The Hutt couple have one child, a boy of about six. The wife alleges that her husband abandoned her last fall, while he says that she left him because he objected to her extravagance. He says in his answer that she contracted large bills and refused to take his advice on the matter of expenditures and other household subjects and refused to comply with his requests. Mrs. Hutt is now living at Breton Hall. The couple were married in 1903, and at that time the artist declared that his wife was the ideal type of American beauty. She is pictured in many of his illustrations.

Lord & Taylor  
Founded 1826  
A Special Invoice of  
Oriental Rugs  
Will Be Placed on Sale Monday, January 30th.  
1750 Oriental Rugs  
Usually \$8.00 to \$40.00 each,  
at \$4.25 to \$25.00  
75 Oriental Carpets  
Sizes 7.9 x 5.9 to 15.10 x 12.9.  
Usually \$45.00 to \$800.00,  
at \$27.50 to \$155.00  
Domestic Rugs  
At Extremely Low Prices  
Extra quality High Pile Wilton Rugs  
Noted for their exceptional durability.  
Size 9x12—regularly \$55.00—now \$35.00  
" 8.8x10.6— " \$80.00— " \$32.00  
" 86x72— " \$10.50— " \$7.25  
" 86x86— " \$5.50— " \$3.75  
Other Sizes at Proportionate Reductions.  
Upholstery Fabrics  
1/3 to 1/2 less than former prices  
Included are  
French Stripe Tapestry, Silk Damasks, Silk  
Brocades, Cotton Tapestry and Wool Tapestry.  
Prices, 50c to \$6.00 per yard  
Formerly 85c to \$12.00.  
Lace Curtains  
1/3 to 1/2 off Regular Prices  
2, 8 and 4 Pair Lots,  
\$1.33 to \$133.35  
Formerly \$2.50 to \$250.00 per pair.  
Brass Bedsteads  
Discontinued Models,  
at \$25.00 to \$65.00  
Formerly \$85.00 to \$115.00.  
Broadway & 20th St.; 5th Ave.; 19th St.

Charge Accounts and Deposit Charge Accounts Will Be Continued by the New Greenhut-Siegel Cooper Company  
Shopping News of Unprecedented Importance  
Six Days More of Our  
CLOSING OUT SALE  
A Broadside of New Bargains is ready every morning---hourly reductions are made in many instances. We know that the success of the sale from the beginning has been the bargains, and it grows greater because we see to it that the Bargains are Greater.  
The Price Cutter is making almost hourly rounds of the departments, and every lot that does not keep pace with the quickest sellers has a new price that makes it a leader at once.  
Some lots disappear in an hour, some last half a day. Very few last longer than a day. Every day you do not come and join the enthusiastic throngs you are surely missing many bargain opportunities that are not likely to be presented again in years to come.  
It Will Be Years Before Another Sale of Such Scope and Opportunities Will Be Possible  
Here is a whole store—forty-eight departments—full of new merchandise of the high standard of quality that goes with the name of GREENHUT—a store full of the most desirable kinds of Dry Goods and Ready-to-Wear Apparel—on sale at Emergency Prices. Bargains are on every hand!  
Double Green Trading Stamps With All Cash or Charge Purchases Until Noon. Single Stamps After Noon  
Greenhut and Company  
Sixth Avenue, 18th to 19th Street, New York City  
Store Formerly Occupied by B. Altman & Co.